IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

ALLIANCE FOR AUTOMOTIVE

INNOVATION,

Plaintiff, Case No. 1:20-cv-12090-DPW

v.

ANDREA CAMPBELL, Attorney General of the Commonwealth of Massachusetts, in her official capacity,

Defendant.

NOTICE OF TRANSMITTAL OF LETTER TO VEHICLE MANUFACTURERS

The United States respectfully notifies the Court and the parties that on June 13, 2023, the National Highway Traffic Safety Administration transmitted a letter to motor vehicle manufacturers notifying them that Massachusetts SD645, codified at Chapter 93K of the Massachusetts General Laws (also known as the Data Access Law), conflicts with and is therefore pre-empted by the National Traffic and Motor Vehicle Safety Act, 49 U.S.C. § 30101 et seq. A copy of that letter is attached hereto.

Dated: June 13, 2023 Respectfully submitted,

BRIAN M. BOYNTON *Of Counsel:*

JOHN E. PUTNAM General Counsel JACQUELINE COLEMAN SNEAD Assistant Branch Director PAUL M. GEIER

Assistant General Counsel

ERIN D. HENDRIXSON /s/ Daniel Riess DANIEL RIESS (Texas Bar # 24037359) Senior Trial Attorney

U.S. Dept. of Transportation Trial Attorney

U.S. Department of Justice Civil Division, Federal Programs Branch KERRY KOLODZIEJ **Assistant Chief Counsel**

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CERTIFICATE OF SERVICE

I certify that on June 13, 2023, I caused a copy of the foregoing to be filed electronically and that the document is available for viewing and downloading from the ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. If any counsel of record requires a paper copy, I will cause a paper copy to be served upon them by U.S. mail.

/s/ Daniel Riess